

108TH CONGRESS  
1ST SESSION

# H. R. 2298

To amend section 3 of the Housing and Urban Development Act of 1968 to ensure improved access to employment opportunities for low-income people.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2003

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To amend section 3 of the Housing and Urban Development Act of 1968 to ensure improved access to employment opportunities for low-income people.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Earning and Living  
5       Opportunities Act”.

6       **SEC. 2. AMENDMENTS.**

7       Section 3 of the Housing and Urban Development  
8       Act of 1968 (12 U.S.C. 1701u) is amended—

9               (1) by redesignating subsections (e), (f), and  
10              (g) as subsections (g), (h), and (i), respectively;

1 (2) in subsection (g), as so redesignated—

2 (A) in paragraph (1), by inserting at the  
3 end “*Provided*, however, that any resident of a  
4 public or Indian housing development or any  
5 other person who qualifies as a low- or very  
6 low-income person under the preference cat-  
7 egories set forth in section (c)(1)(B) shall, for  
8 purposes of this statute, continue to qualify, as  
9 initially verified, as a low- or very low-income  
10 person for a period of five years, irrespective of  
11 any increase in the person’s income during that  
12 period.”; and

13 (B) by inserting after paragraph (2) the  
14 following new paragraph:

15 “(3) ONE-STOP DELIVERY SYSTEM.—The term  
16 ‘one-stop delivery system’ has the meaning given  
17 that term in section 134(c) of the Workforce Invest-  
18 ment Act of 1998 (29 U.S.C. 2864(c)).”; and

19 (3) by inserting after subsection (d) the fol-  
20 lowing new subsections:

21 “(e) REQUIREMENT FOR EMPLOYING LOW- AND  
22 VERY LOW-INCOME PERSONS.—

23 “(1) TWENTY PERCENT REQUIREMENT.—

24 “(A) CONDITION OF ASSISTANCE.—It shall  
25 be a condition of any assistance provided to a

1 public or Indian housing agency or contract  
2 awarded by a public or Indian housing agency  
3 for work to be performed in connection with de-  
4 velopment assistance provided from the capital  
5 fund under section 9(d) of the United States  
6 Housing Act of 1937, the operating fund under  
7 section 9(e) of such Act, or any other Federal  
8 assistance for housing and community develop-  
9 ment that, except as provided in paragraph  
10 2(B), a minimum of 20 percent of all hours  
11 worked by employees of the public or Indian  
12 housing agency or of a contractor in connection  
13 with such contract shall be performed by low-  
14 or very low-income persons hired in accordance  
15 with subsection (c)(1)(B)

16 “(B) REQUIREMENT.—Recipients of Fed-  
17 eral housing and community development as-  
18 sistance for housing rehabilitation, housing con-  
19 struction, or other public construction projects  
20 and their contractors shall provide that a min-  
21 imum of 20 percent of all hours worked by new  
22 employees of the recipient or its contractors  
23 shall be performed by low- or very low-income  
24 persons hired in accordance with subsection  
25 (c)(2)(B).

1           “(2) COMPLIANCE.—As a condition of any con-  
2       tract awarded for the work described in paragraph  
3       (1), any contractor awarded such a contract shall—

4           “(A)(i) immediately before beginning work  
5       under such contract, submit evidence to the sat-  
6       isfaction of the public or Indian housing agen-  
7       cy, and the tenant association (or tenant dele-  
8       gate where a tenant association does not exist)  
9       at the development where the contracted work  
10      is to be done, showing that a minimum of 20  
11      percent of all hours worked in connection with  
12      such contract shall be performed by low- or very  
13      low-income persons hired in accordance with  
14      subsection (c)(1)(B); and

15           “(ii) submit evidence to the satisfaction of  
16      the public or Indian housing agency showing  
17      that a minimum of 20 percent of all hours actu-  
18      ally worked in connection with such contract  
19      were in fact performed by low- or very low-in-  
20      come persons hired in accordance with sub-  
21      section (c)(1)(B); or

22           “(B) if such contractor cannot meet the re-  
23      quirement imposed by paragraph (1)—

24           “(i) submit evidence to the satisfac-  
25      tion of the public or Indian housing agency

1 and the tenant association (or tenant dele-  
2 gate where a tenant association does not  
3 exist) at the development where the con-  
4 tracted work is to be done, that such con-  
5 tractor made a best effort to hire low- and  
6 very low-income persons in conformance  
7 with subsection (c)(1)(B) by taking steps  
8 which include—

9 “(I) recruiting and conducting  
10 job interviews at the affected develop-  
11 ment and in the affected community;

12 “(II) working with the public and  
13 Indian housing agency to advertise  
14 and recruit low- and very low-income  
15 persons; and

16 “(III) giving notice of such con-  
17 tract to the one-stop delivery system  
18 for the area which the housing subject  
19 to the contract is located, including  
20 the particular skills, knowledge, and  
21 abilities needed by potential employees  
22 for work under such contract; and

23 “(ii) provide to the public or Indian  
24 housing agency and the tenant association  
25 (or tenant delegate where a tenant associa-

1           tion does not exist) at the development  
2           where the contracted work is to be done,  
3           evidence, as the Secretary shall by regula-  
4           tion require, sufficient to show why low- or  
5           very low-income persons who were provided  
6           by either the public or Indian housing  
7           agency or by the one-stop delivery system,  
8           or who otherwise made themselves avail-  
9           able did not have the skills, knowledge, or  
10          abilities to perform the work.

11          “(3) TRAINING.—Any contractor awarded a  
12          contract for the work described in paragraph (1)  
13          shall provide on-the-job training to any employee  
14          who is a low- or very low-income person and hired  
15          in conformance with subsection (c)(1)(B). Such  
16          training may be provided through an approved ap-  
17          prenticeship program.

18          “(f) RECRUITMENT, REFERRAL, AND TRAINING RE-  
19          QUIREMENTS.—Public and Indian housing agencies  
20          shall—

21               “(1) maintain a registry of eligible low- and  
22               very low-income persons who reside in the public  
23               housing which is the site of a contract referred to  
24               in this section;

1           “(2) provide to any contractor and the tenant  
2           association (or tenant delegate where a tenant asso-  
3           ciation does not exist) at the development where the  
4           contracted work is to be done, awarded such a con-  
5           tract names and applications from low- and very  
6           low-income persons;

7           “(3) refer any low- or very low-income persons  
8           seeking qualifying skills to the one-stop delivery sys-  
9           tem for the area in which the housing subject to a  
10          contract is located;

11          “(4) consult with contractors to ensure that  
12          with the skills, knowledge, and abilities, and in the  
13          priority categories of subsections (c)(1)(B) and  
14          (c)(2)(B) low- and very low-income persons are not  
15          passed over in hiring;

16          “(5) provide to the one-stop delivery system for  
17          the area in which the housing subject to a contract  
18          is located a detailed description of the work to be  
19          done on all projects for which it is accepting, or will  
20          be accepting, bids, and a list of the priority cat-  
21          egories, so that eligible low- and very low-income  
22          persons may be appropriately trained; and

23          “(6) make any other effort that may be nec-  
24          essary to increase the number of low- and very low-

- 1 income persons hired in accordance with subsection
- 2 (c)(1)(B).”.

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